

REMARKS

In the Office Action dated January 16, 2007, the drawings were objected to under 37 CFR § 1.83(a) as allegedly failing to show every feature of the invention specified in the claims; claims 21-40 were rejected under 35 USC § 101 as allegedly directed to non-statutory subject matter; and claims 21, 25-26, 28, 36-38 were rejected under 35 USC § 102(b) as allegedly anticipated by Baker et al. (US Pat. No. 5,004,152). Also in the Office Action, claims 1-20 and 41-55 were allowed.

In the present Amendment, Applicant has amended claim 21. Thus, upon entry of this Amendment, claims 1-55 will be pending, of which claims 1, 21 and 41 are independent claims.

In response to the objections to the drawings as allegedly not showing every feature specified in the claims, Applicant has amended FIGURES 1, 2A, 2B, 10, 15A, 15B, 16A, 16B and 17B as requested in the Drawing section herein. More specifically, as labeled and indicated more clearly in Replacement FIGURES 1, 2A, 2B, 15A, 15B, 16A, and 16B, a controller 2 includes or is in communication with at least one microprocessor 4 and has a display 6 that provides an alarm 8 to the operator. The alarm 8 may be audible such as a known computer speaker built into the controller 2 and/or in the form of an FFT "spike" or other visual warning to the operator on the display 6. Additionally, as now labeled in Replacement FIGURES 10 and 17B, an amplifying device 36 may be used with some piezo sensors 16 and a signal filtering device 38 may be used with the sensors 16 for amplifying the vibrations or removing signals outside the frequencies of interest that are received by the controller 2. Therefore, Applicant respectfully submits that every feature specified in the claims is shown in the figures, and Applicant respectfully requests removal

of the drawing objections and entry and consideration of Replacement FIGURES 1, 2A, 2B, 9, 10, 15A, 15B, 16A, 16B and 17B.

Also relative to the proposed drawing amendment, Applicant proposes amending the specification as indicated herein. Applicant respectfully submits that the specification as amended simply conforms the specification to the originally filed claims and more clearly describes that which was already disclosed and shown in the originally filed specification and figures without adding new matter. Accordingly, Applicant respectfully requests entry of the amended specification.

Turning now to the rejections under 35 USC § 101, Applicant has amended the claim 21 as indicated herein to obviate the rejection. Specifically, claim 21 has been amended to more particularly recite and distinctly claim a process for monitoring the operation of a fluid nozzle comprising positioning a vibration sensor in operative association with a fluid nozzle; sensing vibrations occurring at the fluid nozzle while the nozzle is emitting a fluid; sensing nozzle vibrations in at least one direction; and comparing the sensed vibrations to a reference for determining whether the nozzle is operating properly. Applicant respectfully submits that the invention of claim 21 produces a useful, concrete and tangible result. Accordingly, Applicant respectfully requests removal of rejection to claim 21 and allowance of claim 21 and its dependent claims 22-40.

Applicant further respectfully submits that claim 21 defines over Baker et al. As the Office Action concedes on page 4, paragraph 8, the prior art of record fails to teach and/or suggest the invention as recited in amended claim 21. Accordingly, Applicant respectfully submits that Baker et al. fails to teach and/or suggest the invention of claim 21 and respectfully request removal of rejection to claim 21 and allowance of claims 21-40.

Applicant respectfully submits that the present Amendment responds directly to all matters raised in the Office Action and raises no new issues requiring an additional search by the Examiner. Accordingly, Applicant respectfully requests that the Examiner issue a Notice of Allowance.

If the Examiner has any questions upon consideration of this Amendment, Applicant invites the Examiner to contact the undersigned at the number appearing below.

Please charge any additional fees, or credit any overpayments, required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

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Date



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